

## **REMARKS**

Claims 1-6 are pending in this application. The Office has rejected all claims under 35 USC 102(a) as anticipated by US Patent No. 6,473,616 to Sydor (hereinafter Sydor).

The rejection in the present Office Action essentially is a repeat of the rejection contained in the previous Office Action, except that, responsive to Applicant's argument that Sydor was not prior art under 35 U.S.C. § 102(e), the Office is now asserting that Sydor is prior art under 35 U.S.C. § 102(a).

Specifically, the Office has asserted that:

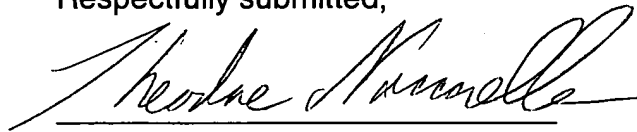
Sydor is valid prior art because it was published earlier in Canada in May 5, 1998 and claimed for foreign priority data prior to the claiming date of the provisional date of this application on July 20, 1998.

This is error. May 5, 1998 is the filing date of the allegedly corresponding Canadian patent application. It is not the publication date. Hence, Sydor is not prior art to the present application under either 35 U.S.C. § 102(e) or 35 U.S.C. § 102(a).

While Applicant disagrees with the remaining discussion of Sydor contained in the Office Action, it is moot since Sydor is not prior art in any event.

In view of the foregoing remarks, this application is now in condition for allowance. The Examiner is invited to contact Applicant's undersigned counsel by telephone call in order to further the prosecution of this case in any way.

Respectfully submitted,



Theodore Naccarella  
Registration No. 33,023  
Synnestvedt & Lechner LLP  
2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107  
Telephone: 215-923-4466  
Facsimile: 215-923-2189

Attorneys for Applicant